

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

IBEW LOCAL UNION 82, *et al.*

PLAINTIFFS,

v.

ELECTRICAL POWER SYSTEMS LLC

DEFENDANT.

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CASE NO. 3:15-cv-370

JUDGE WALTER H. RICE

ORDER
GRANTING DEFAULT
JUDGMENT

WHEREAS, Plaintiffs IBEW Local Union 82, *et al.* filed their Complaint on October 8, 2015;

WHEREAS, the Defendant failed to file a timely answer or otherwise plead;

WHEREAS, the Clerk of this Court issued an Entry of Default on December 31, 2015;

NOW THEREFORE, upon motion of the Plaintiffs and for good cause shown, a default judgment is hereby entered against the Defendant in accordance with the Plaintiffs' Complaint, Motion for Default Judgment and exhibits thereto; and

IT IS HEREBY ORDERED that Judgment is entered on behalf of the Plaintiffs and against the Defendant in an amount to be determined by an audit of Defendant's books and records, representing amounts for unpaid benefit contributions, interest, liquidated damages, attorney fees, auditing fees and court costs.

IT IS FURTHER ORDERED that within fourteen (14) days of the date of this Order, if Defendant has not submitted the required monthly remittance reports to Plaintiffs,

the Defendant must submit to an audit and provide the Plaintiffs with all records necessary for the Plaintiffs to determine amounts owed to the Plaintiffs.

IT IS FURTHER ORDERED that upon the filing of an affidavit by the Plaintiffs in the above-captioned matter, this Court shall enter a Judgment Entry in favor of the Plaintiffs and against the Defendant for the full amounts contained therein as determined by the Plaintiffs' audit, as well as for the audit costs.

IT IS FURTHER ORDERED that the above-captioned matter shall not be administratively closed by the Clerk's Office until such time as the Plaintiffs file a statement or affidavit as to the amounts owed to the Plaintiffs by the Defendants.

IT IS FURTHER ORDERED that Plaintiffs are entitled to ongoing interest in the amount of one percent (1%) per month until the audit is completed and the unpaid contributions are paid in full and additional attorney's fees incurred in collecting the judgment amount.

ENTERED:

By:



UNITED STATES DISTRICT
JUDGE/MAGISTRATE JUDGE

Dated:

3-16-16

Prepared by the Attorney for Plaintiffs:

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